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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Audrey Ida Jane Fruean,
Plaintiff,

v.

Kilolo Kijakazi, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-00406-SKO

STIPULATION AND ORDER FOR
EXTENSION OF TIME

(Doc. 16)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 64-day extension of time, from November 4, 2021 to January 7, 2022, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Good cause exists for this extension. Counsel has recently received a greater number of Answers and

1 Certified Administrative Records from defendant in cases in this district, and the
2 three other California Districts, each of which require settlement negotiations or
3 merit briefing. Counsel has a greater than usual number of merit briefs due in
4 November and December 2021. Thus, Counsel is requesting an extension through
5 January 7, 2022 to accommodate the number of cases due in November and
6 December 2021. For the week of November 1, 2021, Counsel has nine merit briefs
7 due. After that and for the remainder of November, Counsel has 12 merit briefs,
8 several letter briefs and replies. In addition, Counsel is required to review
9 administrative decisions for possible filing in US District Court, and several EAJA
10 Motions.

11 Due to the increase in certified administrative records being filed by
12 defendant, Counsel for Plaintiff has a larger than usual number of briefs due for the
13 months of November and December 2021.

14 Compounding the issue of an increased number of merit briefs due, Counsel
15 has preplanned vacation days for the Thanksgiving holiday, and vacation the last
16 two weeks of the year where Counsel will be out of the State visiting family.
17 Counsel respectfully requests the Court grant the requested extension.

18 Counsel for the Plaintiff does not intend to further delay this matter.
19 Defendant does not oppose the requested extension. Counsel apologizes to the
20 Defendant and Court for any inconvenience this may cause.

21
22 Respectfully submitted,

23 Dated: October 18, 2021 PENA & BROMBERG, ATTORNEYS AT LAW
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25 By: /s/ Dolly M. Trompeter
26 DOLLY M. TROMPETER
27 Attorneys for Plaintiff
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1 Dated: October 18, 2021

2 PHILLIP A. TALBERT
3 Acting United States Attorney
4 DEBORAH LEE STACHEL
5 Regional Chief Counsel, Region IX
6 Social Security Administration

7 By: */s/ Thomas Elsberry
8 Thomas Elsberry
9 Special Assistant United States Attorney
10 Attorneys for Defendant
11 (*As authorized by email on October 18, 2021)
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ORDER

Pursuant to the parties' above stipulation (Doc. 16), and for good cause shown, IT IS HEREBY ORDERED that Plaintiff shall have an extension, up to and including January 7, 2022, to file her motion for summary judgment. All other dates in the Scheduling Order (Doc. 14) shall be extended accordingly.

IT IS SO ORDERED.

Dated: **October 25, 2021**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE